

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.42365 of 2015

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, the petitioner prays that this Honourable Court may be pleased to issue an appropriate writ or order or direction under Article 226 of the Constitution of India particularly one in the nature of Writ of Mandamus, declaring the action of the respondents 1 to 3 in interfering with the civil dispute pending before the Honourable Senior Civil Judge, Repalle, between the petitioner and 4th respondent vide O.S.No.25/2015 as arbitrary, unjust and illegal and direct the respondents 1 to 3 to take action against the complaint dt.19-12-2015 and provide protection to the petitioner and to pass such other orders that this Honourable court may deem just.”

The Sub-Inspector of Police, Repalle Police Station, Guntur District, filed a counter-affidavit stating that verification of the records reflected that the police authorities never received any complaint dated 19.12.2015 from the petitioner. He further stated that upon the complaint made by the fourth respondent, an entry was made in the general diary but, upon due enquiry, the police found that the matter related to a civil dispute between the petitioner and the fourth respondent in relation to which a suit was already pending before the learned Senior Civil Judge, Repalle. According to the Sub-Inspector, the fourth respondent was advised to approach the civil court for redressal of her grievance. The Sub-Inspector denied the allegation of the petitioner that the police authorities had interfered in the civil dispute pending between the parties.

In the light of the afore-stated counter-affidavit averments, no adjudication is warranted on merits independently. Insofar as the petitioner's grievance as to the inaction of the police authorities upon his complaint is concerned, it shall be open to him to file a fresh

complaint, if warranted. Needless to state, in the event such a complaint is made, the police authorities shall take action thereupon in accordance with the directions of the Supreme Court in **Lalita Kumari v. Government of Uttar Pradesh**^[1].

The writ petition is disposed of accordingly. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

10th February, 2016
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^[1] (2014) 2 SCC 1